

REMARKS

This paper is submitted in response to the Office Action mailed on June 16, 2005. Claims 1 and 9 have been amended, claims 3-7, 11-14 and 16-21 have been canceled, and claims 22-26 have been added. Claims 1, 2, 8-10, 15 and 22-26 remain in the application. In view of the foregoing amendment, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

The application was originally filed with 21 claims and was subject to a restriction requirement. In response to the restriction requirement, Applicants elected Group I, identified by the Examiner as being represented by claims 1-16. The non-elected claims 17-21 have been cancelled herein without prejudice to the filing of one or more divisional applications.

Claims 7 and 16 were rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 7 and 16 have been canceled.

Claims 1-3, 9-11 were rejected under 35 U.S.C. § 102(b) as being anticipated over U.S. Patent No. 6,821,465 to Stein et al. ("Stein"). Independent claims 1 and 9 have been amended to more distinctly define the invention over Stein. In particular, claims 1 and 9 have been amended to specifically recite that the "armrest, upper energy absorber and lower energy absorber are formed from a polyolefin bead foam." Stein fails to teach or suggest that the low density and high density volumes may be filled with a polyolefin bead foam. While Stein does teach that the low density material may be a polyolefin bead foam, Stein is devoid of any recitation of the type of

materials that may be used in the high density volume, but for the brief recitation that the material is "polymeric." There is no teaching or suggestion that the high density material is a foam or more particularly, is a polyolefin bead foam. Accordingly, Applicants submit that Stein does not teach or suggest the combination of elements recited in amended independent claims 1 and 9 and the rejections should be withdrawn.

Claims 4-6 and 12-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stein in view of JP 2000-264361 ("the JP '361 patent"). Claims 4-6 and 12-14 have been canceled. Moreover, the JP '361 patent does not cure the deficiency of Stein in regard to amended independent claims 1 and 9 above. In particular, the JP '361 patent does not teach or suggest filling the high density volume space of Stein with a polyolefin foam, as is recited in amended independent claims 1 and 9. Accordingly, Applicants submit that Stein, either alone or in combination with the JP '361 patent, does not teach or suggest the combination of elements recited in amended independent claims 1 and 9 and the rejections should be withdrawn.

In addition, as claims 2, 8, 10 and 15 depend from allowable independent claims 1 and 9 and further as each of these claims recites a combination of elements not taught or suggested by the cited references, Applicants submit that these claims are allowable as well.

Claims 22-26 have been added. Claim 22 also recites that the armrest, upper energy absorber and lower energy absorber are formed from a polyolefin bead foam. Thus, for the same as given above, Applicants submit that independent claim 22 is allowable. Moreover, claim 22 also recites that the density of the armrest, upper

absorber and lower absorber are different from each other. As described in the specification, the varying densities of the energy absorbers may be based on the characteristics of the passenger (centers of mass for male and female passengers). Stein fails to teach or suggest more than two regions of varying density. For this additional reason, Applicants submit that independent claim 22 recites a combination of elements not taught or suggested by the cited references and the claim should be allowed.

Claims 23 and 24 depend from allowable independent claim 22 and therefore should be allowable as well.

Claims 25 and 26 depend from allowable independent claim 9 and therefore should be allowable.

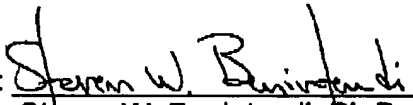
Conclusion

In view of the foregoing response, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicants do not believe that any fees are due in connection with this response. However, if such petition is due or any fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

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